

**UNOFFICIAL
STATE FIRE COMMISSION MEETING
DAYS INN
FLATWOODS, WV
FEBRUARY 8, 2008**

The official business meeting was called to order at 8:35 AM by Chairman Charles Eversole.

COMMISSIONERS PRESENT:

Charles L. Eversole, Chairman
John Bailey, Secretary
Dale L. Clayton
Francis A. Guffey, II
Kenneth Morgan
Chuck Runyon
David Tolliver

Bill L. Spencer, Vice Chairman
Joseph J. Bostar, III
Larry Goodwin
Randy James
James L. Oldaker
Victor Stallard, Jr.

COMMISSIONERS ABSENT:

None

APPROVAL OF MINUTES

Commissioner Stallard stated he would like the minutes to reflect that he voted "No" on the Weirton issue at the meeting of December 7, 2007. Commissioner Spencer made a motion to approve the minutes of December 7, 2007 as amended. Commissioner Bostar seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

INTRODUCTION OF GUESTS

Edward Hicks, Dept. of Education
Rick Rice, RESA I
Murrey Loflin, WVU-FSE
Ron Bateman, ISO
Robert Nevins, ISO
Jason Pizatelle, Spilman, Thomas & Basile
Roger Channell, Marion County
Dave Camp, VFIS, WV
Bob Cannon, Beckley-Raleigh County Code Enforcement Department
Gary Bonnett, WV State Firemen's Association
Ed Erjavec, WVAHI
Kevin Taylor, Fire Chief, Beckley Fire Dept

STAFF PRESENT:

Sterling Lewis, Jr., State Fire Marshal
Nancy Olson, Secretary
Debbie Hudson, Secretary

Fire Chief Roger Channel stated that Marion County had requested him to get the Fire Commission's opinion or guidance. He stated they have an ambulance service in Marion County that has been there for several years and has worked very well with everyone. This is a for-profit enterprise. The EMS System in Marion County has just changed over to interoperative billing system. This company has elected to NOT change over and spend the money to get in on that system. So they have no radio communications with the 911 Center, fire or ambulance. This is a big problem. Ambulances are going on the same calls with one agency not knowing the other is coming. Commissioner Runyon stated this is a county problem and not a state problem. Fire Chief Roger Channel was advised the Fire Commission does not have any authority in this matter and to contact the State Office of Emergency Medical Services. Discussion followed.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

CORRESPONDENCE

None

STAFF REPORTS

Fire Marshal Lewis stated that they are still awaiting notification for the final inspection appointment for Bud-Alpoca VFD Phase II. However, they are progressing extremely slow.

There has been no response from Middleway VFD on Phase II. They are still working.

A request was submitted for a substation for Madison VFD. From the initial review from Chief Lambert, the Fire Marshal's Office recommends approval. Commissioner Stallard made motion to accept the Fire Marshal's recommendation. Commissioner Bailey seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Fire Marshal Lewis stated a fax was received from Mr. Nogay. He is disputing the testimony of Chief Lowe. They are requesting a new hearing. They are stating the Fire Commission was misinformed of information. They are saying that the ordinance adopted in 2002 to make the Weirton City Fire Department a combination fire department was rescinded in 2003. And they are saying that is the entire reason for withdrawal of recognition of Weirton Fire Company #1 and #2, which is not the reason. The reason was that they had no first due area of response. Commissioner Spencer made a motion for staff to look into this matter and possibly have counsel look into it. Commissioner Goodwin seconded the motion.

Commissioner Guffey stated the public hearing notice was sent to all interested parties and there was scant attendance at the hearing. He feels it is done and should be over. Fire Marshal Lewis stated that Mr. Nogay had written to the Weirton City Attorney requesting their interpretation if the ordinance of 2002 rescinded or was it still in effect. The City Attorney wrote back to Mr. Nogay and confirmed what Mr. Nogay was requesting. This doesn't matter to the Fire Commission. The Fire Commission has no authority in city ordinances. Discussion followed. The ayes and nays having been taken on a voice vote, the motion passed. There were 12 ayes and 1 nay.

Fire Marshal Lewis stated that at the last meeting, the Fire Commission had requested to look into a situation from Marion County. He stated that the issues that were brought to the Fire Commission have not been set down as law or policy or procedure at this time. He stated it is his understanding that there are possible communications still ongoing between the three different entities. This is what was found out in staff's fact finding mission.

Chief Roger Channel stated that J. T. Hodges had sat down with the County Commission and went over some of the concerns with them. He stated they had been sort of in limbo, letting some hard feelings die down a little bit. Mr. Hodges has been the liaison and they are going to set up a meeting with two or three of the fire chiefs with the county commission. They are going to try to voice their concerns with them. He stated he is hoping they can get somewhere with this. Fire Marshal Lewis requested Chief Channel to copy a bullet list of how things are going and what was done so if the Fire Commission has any questions, they can be answered.

COMMITTEE REPORTS

Technical and Adult Training, Vo-Tech, Mr. Edward Hicks handed out a draft of an proposed instructor course. They will be reviewing and revising. There are three (3) instructor levels to better serve the fire service and EMS better. This course is recognized by the Fire Commission. Commissioner James asked if people that had Instructor 1 under the old criteria could become an Instructor 2. Mr. Hicks stated probably and some would have to be grandfathered in. Discussion followed.

Training, WVU-FSE, Mr. Murrey Loflin stated the training center is 87% completed. He stated they are partnering with the State Firemen's Association to host a safety seminar scheduled for March 29 & 30 on residential sprinklers and highway incident management.

Starting on March 30 to April 4, they are hosting a National Fire Academy course, Command and General Staff Functions for IMT.

The Junior Firefighter Camp is scheduled for June 22-27. They hope to have 125 students this year. The State Fire School will be moved to September. Curriculum has been set.

They are planning to move the State Fire School to September. The dates have not been set. Discussion followed.

He commended the State Department of Education on the Instructor's Course. He also stated that all classes are on their website.

Training Committee, Commissioner Stallard stated the Committee and reviewed previous actions. There was some discussion on legislative process to regulate training providers. That has been referred to the Legislative Committee. There were two new curriculum submitted for approval.

1. Highway Safety Response – VFIS program – 4 hour course designed to provide training on safety at emergency scenes on highways. Recommend approval by the Fire Commission. Commissioner Runyon made a motion to accept this course. Commissioner Bostar seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.
2. Advanced Truck Company Operations Course submitted by Tom Miller, Sissonville. 16 hour course. Recommend approval. Commissioner Oldaker made a motion to accept this course. Commission Clayton seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed. He stated they also discussed the potential for Sissonville Fire Department to teach a four hour structural collapse program. It is not recommended for approval at this time.

He stated they talked about reorganization. He has taken on new responsibilities with his job. He feels he cannot do justice as chair of the training committee so he is resigning as Chairman of the Committee. Chairman Eversole commended what the Committee has established as a group. He appointed Commissioner Randy James as the new Chairman of the Training Committee. Commissioner Stallard will maintain a position on the committee.

Insurance Services Office (ISO), Mr. Robert Nevins stated that ISO would be teaching a course at ESCAPE at Pipestem State Park the end of February.

He stated it was a pleasure working with Commissioner Stallard, WVU Fire Service Extension and RESA the past few years.

Office of Emergency Medical Services – No report.

FD Standards Evaluation, Commissioner Oldaker stated they had received two Fire Officer I equivalent applications. Commissioner Stallard made a motion to approve Daniel Podroznik, Captain, and William Spindler, Fire Chief, Bruceton-Brandonville FD. Commissioner Morgan seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed. A form letter and certificate will be drafted to send to applicants who are approved. Fire Marshal Lewis asked the Chairman if he wanted staff to draft a form letter of notification to these individuals. Commissioner Oldaker stated he would like to have the application posted on the website. He stated he had received questions from Kanawha County Mutual Aid concerning clarification on the Firefighter 1, Haz Mat Awareness, and First Aid/CPR minimum requirements. There was some departments within that county that seemed

to interpret that as those people can't participate in any activities at all. But within the same organization there were those that disagreed with that. He stated he would like to do a clarification and send it to them. He stated he tried to explain that's why they have that classification of members that is support members. Those that are not yet approved to start fighting fire but they can provide support services on the scene and begin the learning curve.

Discussion followed on junior firefighters.

Recruitment and Retention Committee, Commissioner Runyon. No report.

Procedures Development Committee, Commissioner Bailey. No report.

Special Issues, Chairman Bostar – No report.

Legislative and Budget, Commissioner Spencer stated he would defer the Legislative to the Fire Marshal. Fire Marshal Lewis stated that there are a number of good bills coming out for all the fire service, volunteer and paid. The legislation for fire suppression rule has hit a snag but will be working on it next week. There is some possibilities on the horizon. Staff will be keeping a close watch on legislation.

Home Inspectors, Building Code Officials, Building and Fire Code Committees, Commissioner Guffey stated that we are getting a lot of requests from companies that provide initial training courses and continuing education courses for home inspectors. The following companies have submitted curriculum:

Professional Home Institute, Madison, SD. Recommend approval.

Building Inspectors Career Institute, Robinsville, NJ does not seem to have the recommendation of any of the national home inspectors associations. He stated he would find out a little more information before recommending them to the Fire Commission for approval.

Parker Training Services has submitted criteria for continuing education and recommend approval.

American Home Inspectors Training Institute has submitted a comprehensive list of criteria for their continuing education courses and recommend approval.

Letter from John Shuster of Harrisonburg, VA who has an issue with a course that was previously approved for training from the Kaplan Home Inspection Education, which is a 90 hours course, which has been approved. Mr. Shuster stated there is another program of 55 hours by that same group. The 90 hour class is geared for people with no construction experience and the 55 hour class is geared for people with construction experience. After discussion, the committee determined they would not be able to prequalify that so it was decided they would maintain the 90 hour class.

Commissioner Stallard made motion to approve the aforementioned classes. Commissioner Bostar seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Building Code Officials – Bob Cannon, President of the WV Building Code Officials, has put together some suggestions for rule changes and some other issues concerning continuing education for building code officials. Mr. Cannon had wanted to file the 2006 International Building Code as an emergency rule. He has withdrawn this request. The 2006 codes will proceed as normally planned with the Fire Marshal's Office along with the 2006 fire codes. However, there is some issues and rule changes and the committee agreed that after the legislative session was over, they would meet with Tony Carrico and refine some of the rule changes and then bring it forward to the Fire Commission for review. Commissioner Guffey stated that concerning the Building Code adoption, Fire Marshal Lewis suggested approaching the state legislative to promulgate language that would allow automatic adoption of the most recently created editions of the codes. He urged Fire Marshal Lewis to proceed with this.

Bob Cannon has made a recommendation "that the State Fire Commission recommends that counties and municipalities adopting and enforcing the State Building Code utilize the 2006 editions of the ICC Codes and the 2008 edition of the National Electrical Code, NFPA 70. The current editions of those codes has the standards for building construction and renovation and for certification and training West Virginia Building Code Officials, Inspectors and Plan Examiners. In the event of any conflict with the 2003 ICC Codes or 2005 National Electrical Code as adopted, the 2003 codes shall apply." Commissioner Guffey stated he would like the State Fire Commission to review this recommendation. Commissioner Spencer requested that Commissioner Guffey forward copies of Mr. Cannon's recommendation and discuss it at the next meeting.

TIME AND PLACE OF NEXT MEETING

The next meeting will be held at the new WVU Training Center, Jackson's Mill, WV on April 18, 2008. The Committee Meetings will be held on Thursday, April 17, 2008 at the Training Center.

Commissioner Runyon made motion that the June meeting be held on June 12 and 13 in Fairmont, WV. Commissioner Stallard seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

GOOD OF THE ORDER

A moment of silence was held for Fire Chief John Smoot, Cedar Grove Volunteer Fire Department, who passed away. He served 50 years with the fire service.

ADJOURN

Commissioner Stallard made a motion to adjourn. Commissioner Runyon seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Respectfully submitted,

Sterling Lewis, Jr.
State Fire Marshal